26. The method according to claim 25, wherein the pre-therapeutic moiety is a pro-drug converting enzyme.

27. The method according to claim 25, wherein the pre-therapeutic moiety is streptavidin.

28. The method according to claim 25, wherein the therapeutic moiety is a toxin.

REMARKS

This paper responds to the Notice to Comply with Sequence Listing Requirements mailed April 26, 2002 for the above-captioned application. The undersigned certifies that the content of the paper copy and the machine readable copy are the same. No new matter has been added.

This amendment add a reference to the parent applications, and amends the claims. The amendment also adds references to Seq. ID Nos. in the specification. In the parent case, Serial No. 09/142,974, the Examiner restricted the subject matter of claims 1-4 (drawn to polynucleotides) from the remainder of the claims. Ultimately, recombinant polynucleotides comprises sequences as set forth in Seq. ID Nos. 1 or 2 were allowed. In the present amendment, claims 1-4 have been cancelled. In addition, to facilitate prosecution, each of the other independent claims have been divided into two independent claims: one which refers to Seq ID No1 and one which refers to Seq. ID No. 2. No new matter has been added.

In the parent case, the Examiner also divided the now pending claims into four separate groups (peptides, T cells and the two methods). Applicants respectfully submit that the present group of claims are appropriately considered together. Each includes identical language describing the recombinant peptide. While the T cells and the methods could be patentable, even if the peptide turned out to be known or obvious, Applicants respectfully submit that the searches so overlap that there would be no substantial burden on the Examiner to consider the claims in a single application.

A marked up copy showing the changes made by the amendment is attached.

Respectfully Submitted,

Marina T. Larson, Ph.D.
Attorney for Applicants
Reg. No. 32038

(970) 468 6600

Marked Up Copy of the Amendments

In the specification:

Page 11, line 5:

5F11-scFv:(SEQ ID No. 1)

line 21:

3G6-scFv: (SEQ ID No. 2)

Page 12, line 7:

5F11-scFv-Streptavidin: (SEQ ID No. 3)

Page 13, line 1:

3G6-scFv-streptavidin: (SEQ ID No. 4)

Page 19:

mass of 31KD using anti-E Tag antibody which recognizes the sequence GAPVPVPDPLEPR (Seq ID No. 5). The same protein was not detected in control cells nor in cells without IPTG treatment to induce expression of the scFV.

In the claims:

5. (amended) A recombinant single-chain peptide comprising the variable region of the light chain of an anti-G_{D2} antibody linked to the variable region of the heavy chain of an anti-G_{D2} antibody, wherein the peptide comprises an amino acid sequence encoded by a recombinant polynucleotide comprising a region encoding the variable region of the light chain of an anti-G_{D2} antibody linked to a region encoding the variable region of the heavy chain of an anti-G_{D2} antibody, wherein the variable region of the light chain is linked to the variable region of the heavy chain in an orientation whereby a peptide expressed from the polynucleotide binds to G_{D2}, and wherein the polynucleotide comprises, in contiguous sequence, the bases identified in SEQ. ID NO: 2.

11. (amended) T cells expressing a recombinant single chain peptide comprising the variable region of the light chain of an anti-G_{D2} antibody linked to the variable region of the heavy chain of an anti-G_{D2} antibody, wherein the recombinant single chain peptide is encoded by a polynucleotide comprising a region encoding the variable region of the light